

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-121701-002 DT

03/17/2016

COMMISSIONER JACKI IRELAND

CLERK OF THE COURT
E. Estrella
Deputy

STATE OF ARIZONA

TAMARA BARNETT

v.

DANIELLE YANCER (002)
DOB: March 13, 1980

JOSE A MONTANO

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

8:51 a.m.

Courtroom CCB 1102

State's Attorney:	Christopher McCormack for Tamara Barnett
Defendant's Attorney:	Jose Montano
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (Amended) Misconduct Involving Weapons
Class 4 Felony

A.R.S. § 13-3101, 3102, 3105, 301, 302, 303, 304, 12-269, 13-610, 13-12-116.04, 701,
702 and 801

Date of Offense: May 12, 2015

Non Dangerous - Non Repetitive

OFFENSE: Count 2 Possession or Use of Marijuana
Class 6 Felony - Designated

A.R.S. § 13-3401, 3405, 3418, 901.01(H), 610, 12-269, 116.04, 116.08, 13-701, 702 and
801

Date of Offense: May 12, 2015

Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 3 years

To begin March 17, 2016.

IT IS ORDERED that probation in Count 1 shall run concurrent with probation in Count
2.

Count 2 Probation Term: 3 years

To begin March 17, 2016.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in Count
1.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8: Request and obtain written permission of the APD prior to leaving the state.

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Condition 15: Restitution, Fines and Fees:

FINE: Count 2 - Total amount of \$1,372.50, which includes surcharges of 83%, payable \$35.00 per month beginning December 1, 2016.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning December 1, 2016.

PROBATION ASSESSMENT: Count 2 - \$20.00 payable on December 1, 2016.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on December 1, 2016.

All amounts payable through the Clerk of the Superior Court.

Condition 16: Not consume or possess any substances containing alcohol.

Condition 17: Count 2: Complete a total of 24 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 18: Count 1: Be incarcerated in the county jail for 6 month(s), beginning March 17, 2016 with credit for 0 served.

Not to be released until September 17, 2016.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Defendant shall be screened for Work Furlough.

Condition 22: Other: No contact with the co-defendant.

IT IS ORDERED that the Defendant shall forfeit any interest in the weapon that was seized.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation

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who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 3. Allegation of prior felony convictions. Allegation of on probation.

Count(s) 1: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes in accordance with A.R.S. §13-610.

9:08 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER JACKI IRELAND
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)